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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of )  
 Kirby, Edward G., et al. )  
 Serial No.: 09/763,005 )  
 Filed: 04/20/2001 )  
 For: "Transgenic Poplar Trees )  
 Having Improved Nitrogen )  
 Metabolism by an )  
 Integrated Transgene )  
 Constitutively Expressing )  
 a Pine Glutamine )  
 Synthetase and Methods )  
 of Making and Using the )  
 Same" )

Examiner: Russell Kallif  
 Group Art Unit: 1638  
 Response to paper No.: 8

TECH CENTER 1600/2900

SUBMISSION OF SUBSTITUTE SEQUENCE LISTING UNDER

37 C.F.R. §1.821-1.825

To comply with the requirements under 37 C.F.R. §§1.821-1.825, submitted herewith is a substitute sequence listing of the nucleotides and amino acids presented in the above-referenced application. The sequence listing is being submitted in both paper copy and computer-readable form.

The newly added sequences of SEQ ID NOs: 3 and 4 are identical to the Genbank Accession Numbers: X69822 and CAA49476, respectfully, as of the filing date of this application. This statement is believed to provide sufficient evidence to support entry of the sequences (see MPEP 608.1(p), which discusses the incorporation of essential material into the specification).

Applicants respectfully request entry of the substitute sequence listing into the above identified patent application.

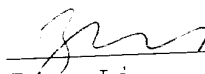
The undersigned hereby verifies that the paper copy and computer readable form of the sequence listing are identical and do not contain any new matter.

In the event that a fee is required, the Commissioner is authorized to charge the account of the undersigned, Account No. 04-1406. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By

  
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